THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.19184 of 2005

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Dated 16-09-2005

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Between:

J. Sailu, S/o.Kondaiah, aged about 26 years,

Occ: Casual Labourer,

C/o.Syed Rahmathulla,

Tripuraram Mandal & Post,

Nalgonda District and others.

…Petitioners

A n d

Joint Director, Animal Husbandry,

Nalgonda and others

…Respondents

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ORDER:

The petitioners were engaged as Casual Labourers by the Department of Animal Husbandry. Their services were terminated with effect from 31-01-1997, on the ground that there is no work for them. They raised Industrial disputes before the Labour Court-III, Hyderabad, assailing the orders of termination. The Labour Court passed Awards, directing their reinstatement. Consequently, the petitioners were reinstated, in the month of April, 2005.

The Joint Director of Animal Husbandry, the 1st respondent, issued proceedings

dated 06-06-2005, stating that the centres, at which the petitioners were initially engaged, have since been closed, and that their services would be terminated with effect from
31-08-2005. The petitioners challenge the same.

The respondents filed counter affidavit, narrating the circumstances, that led to the passing of the impugned order.

Heard the learned counsel for the petitioners and learned Government Pleader for Animal Husbandry.

Though extensive reference is made by the learned counsel, to the proceedings, that ensured between the parties, on earlier occasions, it is not necessary to refer to them. The fact remains that the petitioners have been reinstated pursuant to the Awards passed by the Labour Court. In case the respondents want to retrench the petitioners, they have to follow the procedure prescribed under Section 25 of the Industrial Disputes Act (for short '*the Act*'), and by paying the retrenchment compensation. Admittedly, no such compensation was paid to the petitioners.

On this short ground, the writ petition is allowed, and the impugned order is set aside. It is, however, left open to the respondents to retrench the petitioners, by following the procedure prescribed under Section 25 of the Act.

There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.16-09-2005.

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